IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 9TH OCTOBER 2007 / 17TH ASWINA 1929

Bail Appl..No. 6118 of 2007()

CMP.4475/2007 of J.M.F.C.,KASARAGOD

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CRIME NO. 60/2007 OF KASARAGOD EXCISE RANGE

PETITIONER/ACCUSED

M.ANANDAN, S/O.SHANKARAN, AGED 28 YEARS, MAILATTY, PANAYAL VILLAGE.

BY ADV. SMT.T.SUDHAMANI

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR ADV.SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No. 6118 of 2007

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Dated this the 9th day of October, 2007

ORDER

Application for regular bail. Allegations are raised under the provisions of the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 100 x 100 ml of arrack in packets on 19.09.2007. The petitioner was arrested on the same day and he continues in custody from that date. The learned Public Prosecutor submits that there is no criminal antecedents for the petitioner.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the Investigator is granted reasonable further time to complete the investigation and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on bail on the strength of this order prior to 17.10.07. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

ii) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months from the date of his release and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

sj